

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

R & D FILM 1, LLC,

Plaintiff,

vs.

DOES 1-35,

Defendant.

Civil Action No. 4:12-cv-01743 JCH

**PLAINTIFF R & D FILM 1, LLC'S
RESPONSE TO COURT'S ORDER TO SHOW CAUSE**

In response to the Court's Order to Show Cause dated April 11, 2013 (Dkt. No. 12),
Plaintiff R & D Film 1, LLC states as follows:

1. As noted by the Court, Plaintiff requested a 60 day extension of time to effectuate service on the defendants.
2. The Order signed by the Court on January 29, 2013 granting the extension of time (Dkt. No. 11) Ordered that "plaintiff must effectuate service in this action within a 60-day period commencing on February 8, 2013..."
3. Based upon the aforementioned statement, Plaintiff calculated the deadline to effectuate service as April 9, 2013.
4. On April 8, 2013, Plaintiff served a number of defendants via certified mail, pursuant to Fed. R. Civ. P. 4(e)(1). A copy of the Notice sent to each defendant is attached as Exhibit 1. Copies of the certified mail deposit receipts are available for the Court's inspection if so desired. Plaintiff will file proof of service upon receiving the certified mail return receipts.

5. Plaintiff did not serve all defendants because Plaintiff settled with several defendants, did not obtain sufficient information to permit service with regard to other defendants, or otherwise did not believe that service on specific defendants was appropriate. Concurrently herewith, Plaintiff files a Notice of Dismissal with regard to those Doe defendants who were not served.

6. Plaintiff will keep the Court informed of responses from Defendants relating to the service of the complaint.

April 16, 2013

Respectfully submitted,

HARNES, DICKEY & PIERCE, P.L.C.

/s/ Joel R. Samuels
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Attorneys for Plaintiff, R & D Film 1, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 16, 2013, the foregoing was filed electronically with the Court to be served via the Court's electronic filing system upon all of record.

/s/ Joel R. Samuels

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